

need to invest in 21st-century systems and equipment and stop relying on patchwork upgrades to old, rusted 19th century rail lines.

I travel Amtrak, as I said, virtually every week. I travel the Acela, which is supposed to be our high-speed rail. It is like shake, rattle, and roll. As a member of the Senate Foreign Relations Committee, I have traveled in other countries in the world, such as Japan. They have a bullet train in which you virtually cannot feel anything while you are on the train, going at speeds far in excess of what we call high-speed rail.

Now, there are still many questions to which we do not know the answers. Was there human failure? Was there a mechanical failure or were there infrastructure issues or was it a combination of issues? What we do know is that our rail passengers deserve safe and modern infrastructure. New Jersey, for example, is at the heart of the Northeast corridor. It has long held a competitive advantage with some of the Nation's most modern highways, an extensive transit network, and some of the most significant freight corridors in the world at the confluence of some of the largest and busiest rail lines, interstates, and ports.

In a densely populated State such as New Jersey, the ability to move people and goods safely and efficiently is critical to our economy and critical to our quality of life. But, unfortunately, in recent years, New Jersey and the Nation as a whole have fallen behind. We have 20 years maximum—maximum—before the Hudson River tunnels are taken out of service. Twenty years may sound maybe to some of our young pages like a long time, but it is a flash of the eye. Think about what happens if we take either or both of those tunnels out of service without an alternative, tunnels that are absolutely essential to moving people and goods in the region that contributes \$3.5 trillion to our Nation's economy—20 percent of the entire Nation's gross domestic product.

Nationwide, 65 percent of major roads in America are in poor condition. One in four bridges in our Nation needs significant repair. There is an \$808 billion backlog in highway and bridge investment needs. On the transit side, there is an \$86 billion backlog of transit maintenance needs—maintenance needs, not expanding, just maintaining that which we have.

It will take almost \$19 billion a year through the year 2030 to bring our transit assets into good repair. These are just a handful of the statistics underscoring our Nation's failure to invest in our transportation network. But we have to get beyond looking at the numbers on a page. We have to talk about what Congress's failure to act means to the people we represent, to every community—every community, every commuter, every family, everyone who travels every day, and every construction worker looking for a job.

Failure to act means construction workers now face a 10-percent unemployment rate, and at a time when our infrastructure is crumbling around us, they will not get the work they need. It means a business cannot compete in a globalized economy because their goods cannot get to market in time. It means a working mother is stuck in traffic and cannot get home in time for dinner with her kids. In the very worst cases—cases such as the one we saw yesterday on Amtrak—it very well means that a loved one is lost in a senseless tragedy.

In Congress, we too often treat our infrastructure as if it is an academic exercise, as if it is numbers on a page that we adjust to score political points or balance a budget or make an argument about what types of transportation are worthy of our support. But that is not the real world. In the real world, the choices we make have an impact on people's lives, on their jobs, on their income. They have an impact on our Nation's ability to compete. They have an impact on the safety of Americans and America's ability to lead globally the economy in the world.

We in Congress are failing to recognize the real-world impacts of the choices we make about our transportation infrastructure. We have a passenger rail bill that expired in 2013. We have a highway trust fund on the brink of insolvency, with no plans—no plans—to fix it sustainably. We have a crowded and outdated aviation system that we refuse to adequately fund. We have failed to upgrade with presently available technologies that can reduce the number of failures. We have appropriations bills aiming to cut already-low funding levels of Amtrak, in particular, to meet an arbitrary budget cap for the sake of political points.

I cannot understand that. I cannot understand that. We are living off the greatest generation's investment in infrastructure in this country. We have done nothing to honor that investment, to sustain it or to build upon it. Yet nothing we are doing is aimed at fixing the problem. Our inaction comes with an extraordinarily high cost. So I can tell you, as the senior Democrat on the subcommittee on mass transit, I categorically reject the idea that we cannot afford to fix our transportation system.

The truth is, we cannot afford not to fix it. The Amtrak disaster last night is a tragic reminder that we have to act. We are reminded of the tragic consequences of inaction and the impact of inaction on the lives of workers and families, on their lives and their ability to get to work and do their jobs with confidence that they will be safe.

So, as a member of the Finance Committee, and the ranking member of the transit subcommittee, I have been advocating that we act as soon as possible. We cannot keep pretending the problem is going to resolve itself if we just wait long enough. We simply cannot afford to wait. I hope that everyone

in this Chamber—Democrats, Republicans, and Independents alike—will come together, will work together, and make real progress in building the future that we can be proud of.

We can start by putting politics aside to think about the safety of the American people, to think about the future, to think about America's competitiveness, and to find common ground to do whatever it takes to invest in America's railroads, ports, highways, and bridges, and to invest in our future.

So let's not wait until there is another tragic headline or to see the consequences of what flows, as people along the entire Northeast corridor are trying to figure out alternatives in the midst of a system that is now shut down for intercity travel—all the transit lines of States and regions within the Northeast corridor that depend upon using Amtrak lines to get to different destinations for their residents, to get people to one of the great hospitals along the Northeast corridor, to get people to their Nation's Capital to advocate with their government, to get people and the sales forces of companies to work, to get home.

Let's not wait until we have another tragedy to think about the consequences of our transportation system, what it means to the Nation, or until the next time when lives are lost. I think we can do much better. I have faith that hopefully this will be a crystalizing moment for us on this critical issue.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PERDUE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. LEAHY. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

EXECUTIVE SESSION

NOMINATION OF SALLY QUILLIAN YATES TO BE DEPUTY ATTORNEY GENERAL

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to consider the following nomination, which the clerk will report.

The legislative clerk read the nomination of Sally Quillian Yates, of Georgia, to be Deputy Attorney General.

The PRESIDING OFFICER. There will now be up to 1 hour of debate, equally divided in the usual form.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I am delighted we have the confirmation of Sally Yates before the body. I have pushed for a vote for several weeks, and now I know we are finally going to confirm Sally Yates to be our next Deputy Attorney General of the United States. I think she will be easily confirmed. I know there has been a delay

of several weeks getting her here, but I thank Senator ISAKSON, who worked so hard to get her before this body. It should not have taken this long. Ms. Yates was voted out of the Judiciary Committee with overwhelming bipartisan support almost 3 weeks ago. We are finally voting to confirm her today to serve as the second highest law enforcement office in our country, and it is long past due. This is the least we can do to honor law enforcement, as it is National Police Week.

The Deputy Attorney General is critical to the efficient functioning of the Department of Justice. The person serving in that position works diligently behind the scenes. The position requires someone who is of utmost competence, who prioritizes the Department above all else, and who executes the mission and vision of the Attorney General.

We are actually fortunate here. We will have an Attorney General and a Deputy Attorney General whose backgrounds are very similar—both have shown their ability as law enforcement officers, both have been prosecuting attorneys, and both have similar views, as we saw during the confirmation hearings, on all the major issues.

Sally Yates is an ideal person for this position, as those who know her can attest. She was born and raised in Atlanta, GA. She grew up seeing the justice system as a force for good. There was no need to look outside her home for an Atticus Finch to look up to because her family members lived that example. Her father, Kelly Quillian, was a judge on the Georgia Court of Appeals; her grandfather, Joseph Quillian, was a justice on the Georgia Supreme Court; and at a time when women did not fill the ranks of the legal system, her grandmother, Tabitha Quillian, became one of the first women to be admitted to the Georgia bar. Ms. Yates carried on that family tradition, becoming a top-notch lawyer who has prioritized public service above all else.

For more than 25 years, Sally Yates served as a prosecutor in the Office of the U.S. Attorney for the Northern District of Georgia. For the past 5 years she has served as U.S. Attorney of that district, following her unanimous confirmation by the Senate in 2010.

Since January of this year, she has served as Acting Deputy Attorney General. I have been at briefings she has given to Members of the Senate. I have also been at briefings at the White House where she has briefed the President on issues before the country. She is an experienced and dedicated prosecutor with a well-deserved reputation for fairness, integrity, and toughness.

She is perhaps best known for her successful prosecutions of the Atlanta Olympics bomber, who pled guilty in exchange for a life sentence without parole; and for her prosecution and conviction of a former Atlanta mayor for tax evasion. However, if you were to ask her the most significant case

she has taken on, she will tell you that it involved a pro bono representation when she was just out of law school.

As a junior associate at a law firm, Ms. Yates represented the first African-American family to own land in Barrow County, GA, in a property dispute. The family had obtained a deed to their property, but lacking trust in the court system, had failed to record their deed in a timely manner. As a result, when the adjoining property was sold, a dispute arose as to who owned part of the land. Ms. Yates filed suit to recover the family's property. After a 1-week trial—in which she helped convince a member of the "Dixie Mafia" to testify in court on behalf of the family—she was able to win the case before an all-white jury.

According to Ms. Yates, it was the most meaningful case of her career because it gave the African American family she represented a sense of trust in the judicial system that they previously lacked. This case represents who she is as an attorney: someone who uses the judicial system as a force for good.

It is also an example of why she will thrive as the Deputy Attorney General. While most people seek the spotlight by pursuing high-profile matters, Sally Yates devotes herself to the matters that are less glamorous, but just as important.

Ms. Yates also deserves praise for her dedication to sentencing reform and the clemency initiative begun by her predecessor, Jim Cole. It is encouraging to see that we will continue to have individuals in the Justice Department's leadership who understand the inequities in our criminal justice system's sentencing practices and the consequences of mass incarceration. As she made clear when she testified before the Judiciary Committee, sentencing reform is critical to ensure that we better allocate our limited law enforcement resources and to make our country safer. The clemency initiative is an important part of that process as well and I am glad that I have her commitment that it will be a priority.

Sally Yates has received strong bipartisan support for her nomination. Among the letters of support the Judiciary Committee has received are those from Georgia's Republican Governor, Nathan Deal; Georgia's Republican Attorney General, Samuel Olens; and former Democratic Senator from Georgia, Sam Nunn. She also has the support of law enforcement and civil rights leaders.

At her nomination hearing, Ms. Yates was introduced by Congressman JOHN LEWIS, Senator PERDUE and Senator ISAKSON. As Senator ISAKSON noted when Ms. Yates was first nominated this past December, "Sally Yates is an exceptionally skilled attorney with a strong record of public service and a well-qualified nominee to be Deputy Attorney General." Prior to his retirement, Senator Saxby Chambliss also spoke out in support of Ms. Yates' nomination.

Almost 3 weeks ago, her nomination was voted out of Committee with strong bipartisan support, so this nomination should not be an occasion for further partisanship. The responsibilities of the Deputy Attorney General are too important to the safety and security of all Americans to be held up any longer. The dedicated public servants at the Justice Department deserve a confirmed leader in this crucial position, and I know Sally Yates will serve with distinction as our next Deputy Attorney General of the United States. I thank her for her willingness to continue to serve this great Nation, and I want to publicly congratulate her on this well-deserved appointment.

TRIBUTE TO ERIC HOLDER

Mr. President, I want to talk about a different but related issue.

Two weeks ago, after 5 long months, Loretta Lynch was finally sworn in as the 83rd Attorney General of the United States. I know she is going to be an exceptional Attorney General, and she has an exceptional deputy in Sally Yates. But I want to speak here about the remarkable service of Eric Holder, who has just left as Attorney General.

Many don't realize that he came to the Justice Department as a 25-year-old law school graduate in 1976. He has served at nearly every level of the Department over the past four decades. I believe we owe him our gratitude for his commitment to public service.

I also know on a personal basis how much Marcelle and I appreciate the friendship we have with Eric and his wonderful wife, Sharon.

When Eric Holder's nomination was first announced in 2008, I said that we needed an Attorney General who, as Robert Jackson said 68 years ago, "serves the law and not factual purposes, and who approaches his task with humility." Well, that is what I said we needed, and that is what we got. It is the kind of man Eric Holder is and the kind of Attorney General he has been. He understands our moral and legal obligation to protect the fundamental rights of all Americans and to respect the human rights of all people. His leadership over the past 6 years shows us that.

I was there when he was sworn in as the 82nd Attorney General. His family was there—his wife, mother, children, and others. Upon being sworn in, he immediately changed the tone of the Department. As he finished taking the oath, you heard this roar throughout the marbled and granite halls of the Department of Justice. The building literally shook with cheers. The dedicated professionals knew the Department was once again going to be dedicated to a nonpartisan search for justice for all Americans. These are highly professional and highly dedicated men and women appointed by both Republican and Democratic administrations, who set aside politics. They just want professionalism. And they knew, with Eric Holder, they would get it.

His decision to dismiss the charges brought during the Bush administration against former Senator Ted Stevens because of prosecutorial misconduct was a courageous decision. But, more importantly, it sent a strong message that misconduct would not be tolerated under his watch, and the Department would adhere to the highest ethical standards.

This sense of fairness and justice also led Eric to restore what he fondly refers to as the conscience of the Nation, the Civil Rights Division of the Justice Department.

His work on voting rights is among the most important during his tenure, and in the last 6 years, he has had his work cut out for him. After the Supreme Court's disastrous decision in *Shelby County v. Holder*, where a narrow majority gutted the Voting Rights Act, the Attorney General recommitted the Justice Department to safeguarding the right to vote for every American. And that he did so at a time when these constitutional rights were under attack has been supremely important.

For Eric Holder, this cause is not new. It is as deep as his family roots, which include the work of his late sister-in-law Vivian Malone, Sharon's sister, who fought against segregation and for equal rights as a college student, seeking admittance to the University of Alabama in 1963. I know that Eric is deeply proud of her and of the countless brave men and women who fought for equal voting rights and civil rights for every American. Each generation has its trailblazers who contribute to our march toward equality. I and my family believe that history will count Eric Holder among those patriots.

Eric Holder did not simply look to correct the misguided practices of a previous administration. He sought to bring this Nation forward with an acute understanding that the fight for civil rights is not a single movement of five decades ago. The fight, as he knows, continues.

Attorney General Holder recognized that the constitutionality of the Defense of Marriage Act, which discriminated against Americans simply for whom they loved, could no longer be defended by the Justice Department. The Supreme Court's decision to strike down section 3 of DOMA vindicated his decision. Some argued that it was the Justice Department's duty and obligation to defend the constitutionality of that statute. But just as our country came to see separate as inherently unequal, I believe Attorney General Holder's decision will be further vindicated with time. Discrimination has no place in our laws. Rooting it out takes leadership—the kind of leadership Eric Holder is known for.

He also recognized the inequities in our criminal justice system and the consequences of mass incarceration. Our criminal justice system serves to imprison too many offenders for too

long. This has resulted in our Federal prisons at nearly 40 percent overcapacity, consuming nearly one quarter of the Justice Department's budget. And this growth has been largely driven by our misplaced reliance on drug mandatory minimums. These mandatory minimums too often see no difference between drug couriers and drug kingpins.

Attorney General Holder's "Smart on Crime" Initiative, along with Congress's effort to reform our Nation's sentencing laws, has been an essential step toward addressing these problems. No Attorney General in our Nation's history has recognized the inequities of our criminal justice system more than Eric Holder. He has proven that addressing these inequities leads to a more effective system. In fact, with Eric Holder, as our Nation's chief law enforcement officer, last year—for the first time in 40 years—the overall crime rate and the overall incarceration rate declined together.

The Attorney General's commitment to fairness went well beyond sentencing reform. I look at the calm that he brought when he visited Ferguson, MO, in the midst of chaos and fear. He helped to bridge the distrust between law enforcement and the Ferguson community. He deserves praise for the Justice Department's investigation and reporting of the police department and the circumstances surrounding that shooting. These reports are scrupulously fair and they are fact-based. His work has made the city of Ferguson reassess its practices, but it has also provided a path forward for both law enforcement and the broader community alike.

Now, to go to one other point. I share Attorney General Holder's belief that we should not be afraid to prosecute terrorists in our Federal courts in accordance with the rule of law.

With Eric's leadership, we proved we could hold terrorists accountable by making them answer for their crimes in public, for the world to see. Since Attorney General Holder assumed office, the Department of Justice has secured over 180 terrorism-related convictions. This shows his dedication to upholding the rule of law, even under the most difficult of circumstances. That is arguably one of his most enduring legacies.

I know a number of people, including some on this floor, would stand up and say: Well, we should lock these terrorists up at Guantanamo. We are afraid to let them come to our country. We should not allow them here.

Instead, Eric Holder said: What are we afraid of? We have the finest criminal justice system in the world. Bring them here; let the rest of the world see what happens.

One by one, he did just that. They were each convicted, and they are all serving extremely difficult sentences. What he said is, we should not turn our backs on the values of America by locking them up in Guantanamo—a

place so many of us feel should be closed. Let them come before our court system. Let's make sure they are adequately represented—both sides.

The list of his accomplishments goes on. The Attorney General's leadership ensured that the most vulnerable Americans are protected by the Justice Department, including those who have suffered from hate crimes, domestic violence, and human trafficking. He guided the Department's steadfast implementation of vital legislation which passed through Congress, including the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act and the Leahy-Crapo Violence Against Women Reauthorization Act. These historic civil rights bills greatly expanded protections for the LGBT community, for rape victims, and for Native American domestic violence victims. As one who led the fight on many of these issues, I can tell my fellow Senators that it would have been impossible to pass them without Eric Holder's powerful commitment to protecting the most vulnerable among us.

I talked about how when he returned to the Justice Department in 2009, career attorneys lined the hallways to welcome back one of their own—cheers shook those walls. It had been a very difficult time for the Department. During the previous administration, there were scandals of politicized hiring, the decimating of the Civil Rights Division, the U.S. Attorney firing scandal, and the legal opinions defending the use of torture. But 6 years later, in his final day at the Department, those same professionals, appointed by both Republican and Democratic administrations, again lined the hallways in gratitude to Eric Holder for his work restoring integrity to the Department. Eric Holder restored the public's confidence in the Department. He leaves a Department that is now living up to its name, the Department of Justice.

I am thankful for his dedicated, unwavering service to our country. We have a better Department of Justice because of Eric Holder's leadership. We are a better nation because of Eric Holder.

Ms. MIKULSKI. Mr. President, I am in support of Ms. Sally Quillian Yates, of Georgia, to be the next Deputy Attorney General of the United States.

Ms. Yates has been acting as Deputy Attorney General since January of this year and has a long and successful career in public service. Graduating from the University of Georgia School of Law in 1986, with honors of magna cum laude, she went on to spend more than 20 years ensuring our streets were safe and our rights were protected in the U.S. attorney's office in Georgia. Ms. Yates served as the chief of the fraud and public corruption section and was the lead prosecutor in the case against Eric Rudolph, the Olympic Park Bomber in Atlanta.

She was the first woman to serve as U.S. attorney in the Northern District of Georgia, confirmed by this body on

March 10, 2010. Ms. Yates also served as vice chair of the Attorney General's Advisory Committee.

Ms. Yates has not been afraid to take on complex and challenging cases and has handled herself with professionalism and integrity. She is effective in problemsolving and provides reasonable and rational solutions. I am confident she will serve the American people with distinction and dedication. I look forward to working with her in my role as vice chairwoman of the Senate Appropriations Committee and the Subcommittee on Commerce, Justice, Science and Related Agencies Subcommittee.

AMTRAK TRAIN DERAILMENT

Mr. NELSON. Mr. President, just a quick comment, if I may, about this tragedy that is now up to 7 deaths and about 150 people who were injured in this Amtrak derailment. There was a report out of the Wall Street Journal just a few minutes ago that apparently the train was going 100 miles per hour going into a curve and that the curve speed should have been 50 miles per hour. If that is the case, that would indicate the conductor would not have been aware of what was happening or was negligent in what was happening. But there is something we can do about that, and it is called positive train control. Indeed, this is an issue which is facing all of the railroads. The infrastructure is very expensive, and the question is, How much should it be delayed in the future because it is not ready to go?

Positive train control would—in places where there is potential danger or the potential of two trains colliding, there is automatic monitoring, and electronically it would change the speed of the train.

Interestingly, Amtrak in the Northeast corridor already has some of this positive train control on the tracks, but apparently it did not at this particular location, in which case, that begs the question, What do we need to do if this is ultimately, by the NTSB investigation, determined to be the cause?

One of the things this Senator would suggest is that we certainly do not want to cut Amtrak's budget. To the contrary, I would think we would want to increase Amtrak's budget. I am rounding numbers here, but Amtrak basically has about \$3 billion in revenues, but they have about \$4 billion in expenses. The difference is made up by the Federal Government. In the past, that difference has been about \$1.4 billion. The House is considering legislation that would cut that down to \$1.1 billion, when, in fact, Amtrak is asking for \$2 billion.

Is the funding the only question? I do not think we will know until we get the NTSB investigation report. However, we should know this: Railroads and roads and bridges and other infrastructure are in desperate need of repair and enhancement and expansion, and that is going to take revenue.

Is this country going to allow itself to be considered a third-rate country in infrastructure? By the way, that is not even to speak about what infrastructure does when you build it, the number of jobs. If you talk to road builders, they will tell you that for every billion dollars, thousands of new jobs are created.

Confronting the safety issue is what we are focused on here with this terrible accident. Our heart goes out to the victims. But at the same time, we have to look to the future, and we have to get our heads out—our collective heads—of the sand and start producing the funding for infrastructure investment.

I think back to the time in the depths of the recession—as the Senator from Vermont will recognize—that we were going to do an economic stimulus bill. We tried to get increased infrastructure spending, and we were voted down in the stimulus bill. Here we are years later, out of the recession, the economy is returning, the jobs are increasing, but our infrastructure is still crumbling.

I speak about this as the ranking member of the commerce committee, and fortunately we have a chairman who feels the same way. Senator THUNE and I are going to be working on this as well as things I suggested a moment ago about positive train control to improve the safety of our traveling public.

Mr. President, I have one more thing I would like to say.

Mr. LEAHY. Is it on the pending business?

Mr. NELSON. It is not. Does the Senator want me to stop so he can talk about the Assistant Attorney General?

Mr. LEAHY. If we could.

Mr. NELSON. Of course.

I yield the floor.

Mr. LEAHY. I thank the senior Senator from Florida.

Mr. President, earlier I spoke praising Sally Yates. In my words on the floor, I also spoke about the senior Senator from Georgia, about all the help he has given on this. I want to make sure I also include the distinguished Presiding Officer, Senator PERDUE, who, under our rules, cannot speak from the chair, but I would note for the other Senators how his testimony was so supportive of Sally Yates, and also, in the committee on which he and I serve, he voted for Sally Yates. Thus, both he and his colleague, Senator ISAKSON, were extremely valuable in this. I do not want anybody to think I was not aware of their support. I would say to both Senators from Georgia that I am deeply appreciative.

I yield to the senior Senator from Georgia.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. I thank the distinguished ranking member of the Judiciary Committee and my dear friend Senator LEAHY for all his help and for his kind remarks. Sally Quillian Yates

would not be before us if it were not for the Senator from Vermont. He has been great in the process.

I think it is fortuitous and it is a good omen that the junior Senator from Georgia is the Presiding Officer at a time when we will elect the Deputy Attorney General, Sally Quillian Yates, to her position.

Sally Quillian Yates is a human being I have known for almost 40 years. For 25 years, she has been the lead prosecutor in the Northern District of Georgia. She has been an equal opportunity prosecutor—she has prosecuted Democrats, Republicans, Independents, Olympic Park bombers, anybody who violated the public trust. Any abuse of power, Sally Yates has gone after them, and she has won. She is fair. She is smart. She is intelligent.

As a Georgia Bulldog—I realize the junior Senator is from Georgia Tech, so I am going to throw this in—as a Georgia Bulldog, she is what we call a double dog. She has her bachelor's degree and law degree from the University of Georgia and graduated magna cum laude from the University of Georgia Law School.

Sally Quillian Yates is a great Georgian who will become a great Deputy Attorney General of the United States of America. I commend her to each of our colleagues and ask the Senators to vote and send a unanimous vote for Sally Quillian Yates to be Deputy Attorney General.

The distinguished chairman of the committee is coming to the floor. Let me end my remarks by saying that Senator GRASSLEY has been of immeasurable help in ensuring that Sally Quillian Yates gets to this position. I thank the Senator for his support. Unless he has something to say, I yield back the remainder of our time.

Mr. GRASSLEY. No.

Mr. ISAKSON. I yield back my time and the remainder of the majority time.

Mr. LEAHY. Mr. President, if we have nobody here seeking recognition, we have a few minutes left, and I am perfectly willing to yield back that time also.

I do yield it back.

The PRESIDING OFFICER. All time is yielded back.

The question is, Will the Senate advise and consent to the nomination of Sally Quillian Yates, of Georgia, to be Deputy Attorney General?

Mr. GRASSLEY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There is a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. CORNYN. The following Senators are necessarily absent: the Senator from Florida (Mr. RUBIO) and the Senator from Pennsylvania (Mr. TOOMEY).

Mr. DURBIN. I announce that the Senator from Pennsylvania (Mr. CASEY) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

The PRESIDING OFFICER. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 84, nays 12, as follows:

[Rollcall Vote No. 177 Ex.]

YEAS—84

Alexander	Fischer	Mikulski
Ayotte	Flake	Murkowski
Baldwin	Franken	Murphy
Barrasso	Gardner	Murray
Bennet	Gillibrand	Nelson
Blumenthal	Graham	Paul
Booker	Grassley	Perdue
Boxer	Hatch	Peters
Brown	Heinrich	Portman
Burr	Heitkamp	Reed
Cantwell	Heller	Reid
Capito	Hirono	Roberts
Cardin	Hoeben	Rounds
Carper	Isakson	Sasse
Cassidy	Johnson	Schatz
Coats	Kaine	Schumer
Cochran	King	Scott
Collins	Kirk	Shaheen
Coons	Klobuchar	Stabenow
Corker	Leahy	Tester
Cornyn	Lee	Thune
Cruz	Manchin	Tillis
Daines	Markey	Udall
Donnelly	McCain	Warner
Durbin	McCaskill	Warren
Enzi	McConnell	Whitehouse
Ernst	Menendez	Wicker
Feinstein	Merkley	Wyden

NAYS—12

Blunt	Inhofe	Sessions
Boozman	Lankford	Shelby
Cotton	Moran	Sullivan
Crapo	Risch	Vitter

NOT VOTING—4

Casey	Sanders
Rubio	Toomey

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motion to reconsider is considered made and laid upon the table, and the President will be immediately notified of the Senate's action.

LEGISLATIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

ENSURING TAX EXEMPT ORGANIZATIONS THE RIGHT TO APPEAL ACT—MOTION TO PROCEED—Continued

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, this morning, I restated my commitment to working with Senators in a serious way to move our country ahead on trade in the economy of the 21st century. I said that we need to allow debate on this important issue to begin and that our colleagues across the aisle need to stop blocking us from doing so.

That is the view from our side, it is the view from the White House, and it is the view of serious people across the political spectrum. I have repeatedly stated my commitment to serious, bipartisan ways forward on this issue. Now, serious and bipartisan does not mean agreeing to impossible guarantees or swallowing poison pills designed to kill the legislation, but it does mean

pursuing reasonable options that are actually designed to get a good policy result in the end.

That is why I have agreed to keep my party's significant concession of offering to process both TPA and TAA on the table. It is why I have said we could also consider other policies that Chairman HATCH and Senator WYDEN agree to. That is why I will keep my commitment to an open amendment process once we get on the bill.

Of course, our friends across the aisle say they also want a path forward on all four of the trade bills the Finance Committee passed. This isn't just an issue for our friends on the other side, but there is a great deal of support on our side for many of the things contained in these other bills. However, as a senior Senator in the Democratic leadership reminded us yesterday, we have to take some of these votes separately or else we will kill the underlying legislation.

So the plan I am about to offer will provide our Democratic colleagues with a sensible way forward without killing the bill.

The plan I am about to offer will allow the regular order on the trade bill, while also allowing Senators the opportunity to take votes on the Customs and preferences bills in a way that will not imperil the increased American exports and American trade jobs that we need. We would then turn to the trade bill with TPA and TAA as the base bill and open the floor to amendments, as I have suggested all week. It is reasonable.

So I look forward to our friends across the aisle now joining with us to move forward on this issue in a serious way.

ORDER OF PROCEDURE

Mr. President, I ask unanimous consent that at 10:30 a.m., tomorrow, May 14, the Senate proceed to the immediate consideration of Calendar No. 57, H.R. 1295, and Calendar No. 56, H.R. 644, en bloc; that the Hatch amendments at the desk, the text of which are S. 1267 and S. 1269, respectively, be considered and agreed to; that no further amendments be in order; and that at 12 noon the bills, as amended, be read a third time and the Senate then vote on passage of H.R. 1295, as amended, followed by a vote on passage of H.R. 644, as amended, with no intervening action or debate, and that there be a 60-affirmative-vote threshold needed for passage of each bill; and that if passed, the motion to reconsider be considered made and laid upon the table. I further ask that following disposition of H.R. 644, the motion to proceed to the motion to reconsider the failed cloture vote on the motion to proceed to H.R. 1314 be agreed to, the motion to reconsider the failed cloture vote on the motion to proceed to H.R. 1314 be agreed to, and that at 2 p.m. the Senate proceed to vote on the motion to invoke cloture on the motion to proceed to H.R. 1314; further, that if cloture is invoked, the 30 hours of postcloture consideration

under rule XXII be deemed expired at 10 p.m. on Thursday night.

The PRESIDING OFFICER. Is there objection?

The Democratic leader.

Mr. REID. Reserving the right to object, Mr. President.

First of all, I want to take just a very brief minute and express my appreciation to all my Democratic colleagues who have been understanding and vocal in their opinions as to what we should do to move forward. I also extend my appreciation to the Republican leadership, the majority leader, for having this suggestion to go forward. We have worked together the last 24 hours, and I think we have come up with something that is fair.

The bipartisan majority of the Finance Committee reported out four trade measures, fast-track, trade adjustment assistance, trade enforcement, and a bill expanding trade for Africa. Democrats want a path forward on all four parts of this legislation. Yesterday, we made it clear that we didn't accept merely a fast-track for new trade agreements. We also must enforce the trade agreements we make.

The proposal before us today will provide us that path forward. I look forward to consideration today and tomorrow of the trade enforcement package and the Africa bill. Once we proceed to the fast-track measure, the majority leader has offered an amendment process that in his words will be open, robust, and fair. I appreciate that offer.

This is a complex issue and one that deserves full and robust debate. Once we get on the trade bill, then we have to debate and vote on a number of amendments. So with that background and the understanding that we have on both sides, I do not object.

The PRESIDING OFFICER. (Mr. SCOTT). The Senator from Georgia.

Mr. ISAKSON. While I do not rise with the intention of objecting, may I propound a question to the majority leader?

Mr. REID. Why don't we get the approval first.

Mr. ISAKSON. I would prefer to propound the question first. Mr. Leader, as I understand it, the Africa bill and the trade enforcement bill will be in tandem together and not subject to amendment, and then we will go to TPA and TAA, which will be open to amendments; is that correct?

Mr. McCONNELL. The Senator from Georgia is correct.

Mr. ISAKSON. In that case, I will not object, but I ask unanimous consent that Senator COONS and I be able to make a 1-minute statement.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. ISAKSON. Mr. President, in the committee on the AGOA Act, we put in an amendment to ensure an in-cycle and out-of-cycle review of South African trade practices vis-à-vis poultry and other issues important to the United States. We would have offered an amendment on the floor had it been